

REMARKS

Applicants add claim 17. Claims 1-17 are now pending in the application. Applicants amend claims 1, 4, 11, and 16 for clarification, and submit claim 17 to round out the scope of the invention. No new matter has been added.

Applicants respectfully request that the Examiner indicate acceptance of the drawings. Applicants acknowledge with appreciation the Examiner's finding that claims 4 and 7-10 contain allowable subject matter, and respectfully submit that the provided reasons for allowability include only the Examiner's non-exhaustive interpretations—which should in no way limit the scope of the claimed invention. Applicants further submit that claim 1, from which claims 4 and 7-10 depend, is patentable over the references cited against it, as demonstrated below. As such, Applicants respectfully request that the Examiner also allow claims 4 and 7-10.

Claims 1-3 and 11-16 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Publication No. 2002/0190900 to Kimata et al. in view of Applicants' Admitted Prior Art ("AAPA"); claim 5 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Kimata et al. in view of AAPA, and further in view of U.S. Patent Application Publication No. 2002/0085653 to Matsuoka et al.; and claim 6 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Kimata et al. in view of AAPA, and further in view of U.S. Patent No. 7,006,553 to McCorkle. Applicants amend claims 1 and 16 in a good faith effort to clarify the invention as distinguished from the cited references, and respectfully traverse the rejections.

Again, the Examiner relied upon Fig. 4 in the application as alleged AAPA that suggests the feature of extracting an interference wave element when an adjustment value of an adjustment unit is perturbed in a 1 symbol time, which the Examiner conceded was not disclosed or suggested by Kimata et al. Fig. 4 of the application illustrates variable reactance

values for a plurality of elements being perturbed one at a symbol time. And such a technique would, therefore, require at least an M-symbol time to perturb an M number of elements. Page 7, lines 13-19 of the specification. Fig. 4 of the application, and thus the proposed combination of references, would have failed to disclose or suggest the claimed feature of a plurality of adjustment values being perturbed within one symbol time used in a communication apparatus.

Thus, even assuming, arguendo, that it would have been obvious to one skilled in the art at the time the claimed invention was made to combine the cited references as proposed by the Examiner, such a combination would still have failed to disclose or suggest,

“[a] communication apparatus using an adaptive antenna having an antenna unit including a plurality of antenna elements and a plurality of adjustment units provided corresponding to the plurality of antenna elements for adjusting directivity of the adaptive antenna, comprising:

an interference wave element extraction unit extracting an interference wave element other than a desired signal to be received by said communication apparatus from a received signal by the antenna unit when the plurality of adjustment units perturb a plurality of adjustment values within one symbol time used in said communication apparatus; and

an adaptive control unit performing adaptive control on the plurality of adjustment values such that the extracted interference wave element can be reduced,” as recited in claim 1. (Emphasis added)

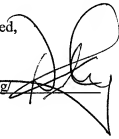
Accordingly, Applicants respectfully submit that claim 1, together with claims 2-3 and 11-15 dependent therefrom, is patentable over the cited references for at least the foregoing reasons. Claims 16 and 17 incorporate features that correspond to those of claim 1 cited above, and are, therefore, patentable over the cited references for at least the same reasons. The Examiner relied upon Matsuoka et al. and McCorkle as combining references to specifically address the additional features recited in dependent claims 5 and 6, respectively. As such, the further combinations of these references would still have failed to cure the above-described deficiencies of the cited references, even assuming, arguendo, that such

further combinations would have been obvious to one skilled in the art at the time the claimed invention was made. Accordingly, Applicants respectfully submit that claims 5-6 are patentable over the cited references for at least the above-stated reasons.

In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,



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